

ORIGINAL

In the United States Court of Federal Claims

No. 17-1281C

(Filed: December 18, 2017)

* * * * *

ADOLPH R.O. WRIGHT,

FILED

Plaintiff,

DEC 18 2017

v.

U.S. COURT OF
FEDERAL CLAIMS

UNITED STATES,

Defendant.

ORDER

Plaintiff filed his complaint on September 8, 2017. On November 7, 2017, defendant moved to dismiss for lack of jurisdiction. Plaintiff's response to the motion was due on December 5, 2017, but none has been received to date. We need not wait for a response, however, because it is clear on the face of the complaint that we lack jurisdiction over any claims that might be asserted in it.

The complaint states this it is an action against "individuals, the Commonwealth of Pennsylvania and County of Luzerne Pennsylvania" for a variety of alleged wrongdoings stemming from state and county officials assessing taxes against plaintiff's land in alleged violation of his status as a Native American. Compl. ¶ 4(A). Plaintiff claims he is exempt from taxation as a Native American under the United States Constitution and various historical treaties with Indian tribes.

This court has jurisdiction over claims "against the United States" only. 28 U.S.C. § 1491(a) (2012). This court therefore has no jurisdiction "to hear claims against states, localities, state and local government entities, or state and local government officials and employees." *Smith v. United States*, 99 Fed. Cl. 581, 583 (2011). We are therefore without jurisdiction to hear the claims alleged in the complaint. Pursuant to rule 12(h)(3) of the Rules of the United States Court of Federal Claims, the case must be dismissed.

Accordingly, the following is ordered:

1. Defendant's November 7, 2017 motion to dismiss is denied as moot.
2. The Clerk of Court is directed to dismiss the complaint for lack of jurisdiction and to enter judgment accordingly.



ERIC G. BRUGGINK
Senior Judge